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U.S. DISTRICT COURT E.D.N.Y.

★ JUN 13 2019 ★ MEMORANDUM TO
THE HONORABLE JOANNA SEYBERT
UNITED STATES DISTRICT JUDGE

LONG ISLAND OFFICE

RE: U.S. v. Harold Bendell
DOCKET #: U.S. v. Bruce Bendell
SENTENCE DATE: 17-CR-585
June 5, 2019

REQUEST FOR ADJOURNMENT DUE TO DELAY IN PRESENTENCE INVESTIGATION

On July 26, 2018, the defendants pled guilty before Your Honor to a single-count information, charging the aiding and assisting in the preparation of a fraudulent income tax return. The investigations were assigned to the undersigned on July 31, 2018, with a scheduled sentence date of November 30, 2018. The presentence report (PSR) for Bruce Bendell was disclosed on December 13, 2018, and the PSR for Harold Bendell was disclosed on December 21, 2018.

Lengthy objections were presented by Defense Counsel for both defendants in early April 2019, but the Probation Department was unable to prepare its response until early June 2019. The addenda were disclosed on June 4, 2019. Given the proximity to sentencing, in order to afford the Court and the parties sufficient time to review the addenda, the Probation Department requests an adjournment to the afternoon of July 19, 2019, a date suggested by the courtroom deputy and agreed to by all parties.

If Your Honor has any concerns regarding this matter, please contact the undersigned officer.

/s/ JOANNA SEYBERT 6/13/2019
Application Granted Date
U.S. District Judge

New Sentence Date and Time: 7/19/2019 at 3:00 pm

Application Denied Date
U.S. District Judge

RESPECTFULLY SUBMITTED,

VITA QUARTARA
ACTING CHIEF U.S. PROBATION OFFICER

Prepared by:

Steven S. Guttman

Steven S. Guttman
U.S. Probation Officer
(631) 712-6315

Date: June 5, 2019

cc: Steven J. Harfenist, Esq., Defense Counsel (Harold Bendell)
Scott A. Resnik, Esq., Defense Counsel (Bruce Bendell)
Burton T. Ryan, Jr., Esq., Assistant United States Attorney